

REMARKS

The foregoing amendments and these remarks are submitted in response to the Office Action of February 24, 2004, and are believed to overcome all of the issues set forth therein.

On page 2 of the Office Action, claims 1-24 were restricted into two groups. Group I, claims 1-20, were drawn to a method of making a decorative sheet material. Group II, claims 21-24, were drawn to an apparatus for making a decorative sheet material. According to the Office Action, the inventions are distinct from each other because Inventions I and II are related as process and apparatus for its practice. Furthermore, according to the Office Action, Group I contains claims directed to the following patentably distinct species of the claimed invention.

Group IA, claims 1-11, were drawn to a method of making a decorative sheet material wherein a flexible carrier film is coated with a first, second, third, and fourth coating layers with drying steps occurring after the deposition of the second and fourth coating layers.

Group IB, claims 12-18, were drawn to a method of making a decorative sheet material whereby a flexible carrier film is directed from a supply roll onto the peripheral surface of the cylindrical coating roll for the deposition of a first fluoropolymer coating layer and second pigmented color coating layer by a first and second coater positioned adjacent the coating roll.

Group IC, claims 19-20, were drawn to a method of making a decorative sheet material whereby a flexible carrier film is directed through a coating station for the deposition of a first coating layer comprising a PVDF/solvent clear coat layer followed by the deposition of a second coating layer comprising an acrylic

polymer/pigment/solvent color coat composition on the undried surface of the first coating layer followed by drying at a specific temperature and collecting the formed sheet material into a roll.

In order to be fully responsive to the restriction requirement, Applicants confirm the election of Group I, claims 1-20, and the election of species of Group IA, claims 1-11, with traverse. Applicants traverse on the grounds that a search of the method of making a decorative sheet material and its apparatus for making said decorative sheet material would not be unduly burdensome upon the Examiner as any search for one of the two identified groups of claims will necessarily entail a search for the subject matter of the other group of claims. Further, with respect to elected Group I A, Applicants submit that claim 1 is presently in condition for allowance. Therefore, Applicant requests that the Examiner examine species IB and IC of elected Group I in the present application as such any search for one of the two identified groups of claims will necessarily entail a search for the subject matter of the other group of claims.

On page 4 of the Office Action, Claim 7 was rejected under 35 U.S.C. §112, first paragraph, as assertedly being indefinite. Applicant has amended claim 7 to clarify that DMP is dimethyl phthalate and DBA is diethylene glycol monobutyl ether acetate.

As amended, Claims 1, 3-11 are currently pending in the above-captioned application. According to the Office Action, Claim 2 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended Claim 1 to include the limitations of allowable Claim 2. Accordingly, amended Claim 1 and all of the claims depending from amended Claim 1 should now be in condition for allowance. Claim 2 has been canceled.

On page 5 of the Office Action, Claims 1, 3, 8, and 9 were rejected under 35 U.S.C. §103(a) as assertedly being unpatentable over Ellison, United States Patent No. 5,985,079, ("Ellison") in view of Johnson et al., U.S. Patent No. 4,818,589 or JP 2000-263589, ("Johnson et al."). Applicants submit that the rejection is moot in view of amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

On page 7 of the Office Action, Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ellison combined with Johnson et al. in view of Patton et al., U.S. Patent No. 6,096,396, ("Patton"). Applicants submit that the rejection is moot in view of amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

On page 7 of the Office Action, Claims 4-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ellison combined with Johnson et al. in view of Scansani, German Patent No. DE 3235151 A1, ("Scansani"). Applicants submit that the rejection is moot in view of amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

On page 8 of the Office Action, Claims 1, 3 and 8-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fields et al., WO 00/51799, in view of Johnson et al. or Ellison. Applicants submit that the rejection is moot in view of amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

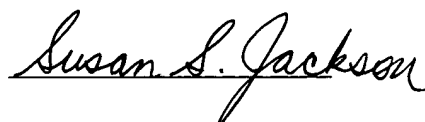
On page 10 of the Office Action, Claims 4-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fields et al. combined with Johnson et al. or Ellison in further view of Scansani. Applicants submit that the rejection is moot in view of

amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

On page 12 of the Office Action, Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Fields et al. combined with Johnson et al. or Ellison in view of Patton et al. Applicants submit that the rejection is moot in view of amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance and reconsideration is requested. An early notice to this effect is earnestly solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the number shown below.

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan S. Jackson". The signature is written in dark ink and is positioned above the printed name and address.

Susan S. Jackson
Registration No. 41,302
Kennedy Covington Lobdell
& Hickman, L.L.P.
Hearst Tower, 47th Floor
214 N. Tryon Street
Charlotte, North Carolina 28202
Telephone (704) 331-7400
-- Attorney for Applicant